

REMARKS

Status of the Claims

Claims 1 and 4-7 are pending in this application. No claims have been canceled. Claims 4-7 have been added. Claim 1 has been amended to further define the cover by describing the amount of the thermoplastic elastomer or diene block copolymer. Support for this amendment is found at page 18, lines 19-21 of the specification. Support for new claims 4-7 is found at page 11, line 25; page 12, line 7 and page 13, line 17. In claim 4, the surface hardness of the outer core and center hardness of the inner core is limited from 15 to 30 to 20 to 30. (See Examples 2 to 12 in Tables 8 and 9.) In claim 5, the hardness difference between at 15mm from the center point of the inner core and center hardness of the inner core is changed from "5 to 20" to "5 to 15". Claim 6 changes the surface hardness of the outer core from "79 to 88" to "82 to 86". Claim 7 is the combination of the all the limitations in new claims 4 to 6.

No new matter has been added by the above claim amendment and new claims. In addition, the above claim amendments do not raise new issues for new consideration or search. All of the new claims are narrower in scope than claim 1. Therefore, if claim 1 is allowable then so too are new claims 4-7. As such, Applicants respectfully request that the above amendments are entered.

Objection to the Abstract

The Examiner objects to the Abstract because it exceeds 150 words. Please see the new Abstract attached hereto which complies with all requirements of MPEP 608.01.

Rejection under 35 USC 103(a)

The Examiner rejects claim 1 as obvious over U.S. Patent 5,184,828 to Kim et al. (Kim '828) in view of U.S. Patent 5,711,723 to Hiraoka et al. (Hiraoka '723). Applicants traverse the rejection and respectfully request the withdrawal thereof.

Applicants submit that the present invention is not obvious over the combination of cited art. Please see Tables A and B attached hereto where the present invention is compared to Kim '828 and Hiraoka '723.

The present invention as defined by claim 1 is directed to a three piece solid golf ball comprising a core consisting of an inner core and an outer core formed on the inner core, and one layer of cover covering the core, wherein the inner core has a diameter of 32.5 to 38.5 mm and a center hardness in JIS-C hardness of 59 to 67, and is formed from a press molded rubber composition comprising polybutadiene, a co-crosslinking agent, an organic peroxide and a filler, and the JIS-C hardness at a distance of 15 mm from the center point of the inner core is 65 to 85 and is higher than the center hardness by 5 to 20, the outer core has a

thickness of 0.5 to 1.8 mm and a surface hardness in JIS-C hardness of 79 to 88, and is formed from a press molded rubber composition comprising polybutadiene, a co-crosslinking agent, an organic peroxide and a filler, and the surface hardness of the outer core is higher than the center hardness of the inner core by 15 to 30, and the cover is formed from a combination of an ionomer resin and at least one of thermoplastic elastomer or diene block copolymer, an amount of the thermoplastic elastomer or diene block compolymer being 1 to 35 parts by weight based on 100 parts by weight of the base resin for the cover, and the cover layer has a thickness of 1.5 to 2.5 mm and a surface hardness in Shore D hardness of 66 to 69.

Niether Kim '828 nor Hiraoka '723 discloses or suggests a cover where the amount of the thermoplastic elastomer or diene block copolymer is 1 to 35 parts by weight based on 100 parts by weight of the base resin for the cover. This is evident from Table A, Appendix A, third to last row. The darkened sections denoted with an "X" are outside the scope of the invention or not described or suggested in the cited reference.

Moreover, Kim '828 describes a golf ball where the outer diameter of the outer core is 38.7 mm, which means it has a radius of 19.85 mm. If the radius of the outer core is 19.85 mm, then 18 mm from the center of the core is not the surface of the outer core,

but represents the hardness value of 1.85 mm inward from the surface of the outer core.

Likewise, in Kim '828 the diameter of the inner core is 29.7 mm; thus, the radius is 14.85 mm. Therefore, 15 mm from the center is not located in the inner core, but is located in the outer core layer. As such, the hardness values in the cited art are not comparable to the present invention hardness values.

Please note that Table B is from Kim '828. The values for Examples 1 and 2 have been converted to JIS-C. The value of the center hardness minus the hardness at 15 mm from the center is calculated and represented in the table. The same value is also computed from 18 mm from the center. The darkened portions of Table B are within the scope of the invention of claim 1 of the present invention. However, please see the areas of non-overlap at 18 mm from the center.

For the foregoing reasons, Applicants submit that the present invention is patentable over the cited references as no *prima facie* case of obviousness has been established because all the limitations of the present invention are not disclosed or suggested by the combination of references. Thus, the rejection should be withdrawn.

Conclusion

As Applicants have addressed and overcome all rejections in the Office Action, Applicants respectfully request that the rejections be withdrawn and that the claims be allowed.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Kecia Reynolds (Reg. No. 47,021) at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

Pursuant to 37 C.F.R. §§ 1.17 and 1.136(a), Applicant(s) respectfully petition(s) for a three (3) month extension of time for filing a reply in connection with the present application, and the required fee of \$930.00 for the extension fee and \$320.00 for the Notice of Appeal fee is attached hereto.

If necessary, the Commissioner is hereby authorized in this, concurrently, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

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Attachments: Abstract, Appendix A and Appendix B